

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

RAYMOND ORRAND, et. al.,

Plaintiffs,

v.

SCASSA ASPHALT, Inc.,

Defendant.

Case No.: 2:12-cv-1131

CHIEF JUDGE EDMUND A. SARGUS, JR.

Magistrate Judge Terence P. Kemp

OPINION AND ORDER

This case is an action under the Employee Retirement Income Security Act of 1974, 29 U.S.C. § 1001, *et seq.* (“ERISA”), to recover delinquent contributions. The Court granted Plaintiff’s Motion for Summary Judgment on August 29, 2014. (Doc. No. 37.) In the Court’s decision, it granted judgment for court costs in the amount of \$350.00 and stated that Plaintiffs had fourteen (14) days from the date of entry to file a motion for attorney’s fees. (Doc. No. 37 at 15.) Plaintiffs subsequently timely moved for attorney’s fees under 29 U.S.C. § 1132(g)(2)(D). (Doc. No. 38.) That section of ERISA provides that the Court “shall award the plan . . . reasonable attorney’s fees and costs of the action to be paid by the Defendant.” Plaintiffs’ motion included supporting documentation of incurred attorney’s fees.

Plaintiffs’ evidence shows that its counsel performed 26.65 hours of work at an hourly rate of \$200.00 for a total of \$5,330.00. Plaintiff adequately supports its request with an affidavit indicating the amount of time its counsel spent on the case, the type of work done, and its counsel’s experience in the ERISA field. The Court finds that the amount Plaintiff requests for

attorney's fees is reasonable. The Court, therefore, awards Plaintiff attorney fees in the amount of \$5,330.00.

IT IS SO ORDERED.

5-19-15
DATE



EDMUND A. SARGUS, JR.
CHIEF UNITED STATES DISTRICT JUDGE